

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

GEORGE B.,

Plaintiff,

v.

6:22-CV-78
(CFH)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

Law Offices of Steven R. Dolson
126 North Salina Street, Ste. 3B
Syracuse, New York 13202
Attorney for plaintiff

STEVEN R. DOLSON, ESQ.

Social Security Administration, OGC
6491 Security Blvd.
Baltimore, Maryland 21235
Attorneys for defendant

MOLLY CARTER, ESQ.

DECISION & ORDER

Plaintiff George B.¹ brings this action pursuant to 42 U.S.C. § 405(g) seeking review of the decision by the Commissioner of Social Security Administration (“Commissioner,” “SSA,” or “defendant”) denying his application for disability insurance benefits. See Dkt. No. 1. Plaintiff moves for a finding of disability, and the Commissioner cross-moves for judgment on the pleadings.² See Dkt. Nos. 9, 14.

¹ In accordance with guidance from the Committee on Court Administration and Case Management of the Judicial Conference of the United States, the Northern District of New York adopted in 2018 to better protect personal and medical information of non-governmental parties, this Decision & Order will identify plaintiff by first name and last initial.

² This matter, which is before the undersigned on the consent of the parties pursuant to 28 U.S.C. 636(c), Dkt. No. 5, has been treated in accordance with the procedures set forth in General Order No. 18. Under General Order 18, once issue has been joined, an action such as this is considered procedurally

On December 15, 2022, the Court conducted oral argument in connection with these motions. The conference was held by telephone, in the presence of a court reporter. At the close of argument, the Court issued a bench decision in which, after applying the requisite deferential standard of review, the Court held that the Commissioner's determination resulted from the application of proper legal principles and was supported by substantial evidence. In the decision, the Court provided detail regarding its reasoning, while addressing the specific issues plaintiff raised in his appeal.

After due deliberation, and based upon the Court's oral decision, which has been transcribed and is annexed to this order, see also Dkt. No. 19, it is hereby

ORDERED, that:

(1) Defendant's cross motion for judgment on the pleadings, Dkt. No. 14, is

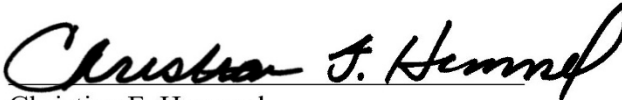
GRANTED;

(2) Plaintiff's motion for judgment on the pleadings, dkt. no. 9, is **DENIED**; and

(3) The defendant's determination that plaintiff was not disabled at the relevant time is **AFFIRMED**, and

(4) The Clerk of the Court is directed to enter judgment dismissing plaintiff's complaint in its entirety.

Dated: January 4, 2023
Albany, New York


Christian F. Hummel
U.S. Magistrate Judge

as if cross motions for judgment on the pleadings have been filed pursuant to Rule 12(c) of the Federal Rules of Civil Procedure.